IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6260 OF 2005

Bharat Mahadeo Markad & Ors. ...Applicants
vs.
The State of Mahrashtra ...Respondents

Mr.K.B.Sonwalkar for the Applicants
Ms M.H.Mhatre,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 10,2005

P.C.:

1. Heard Advocate for the Applicants and the learned A.P.P. for State. The offence has been registered against the Applicants under sections 143, 341, 342, 365, 109 read with Section 34 of the Indian Penal Code.

2. By order dated 30th September 2005, the Applicants were directed to attend the concerned Police station on the dates specified in the said order. The learned A.P.P. states that the Applicants have attended the police station and have complied with the directions issued by this Court. The learned A.P.P. on instructions states that now the investigation has been completed.

3. On plain reading of the F.I.R., it appears that there is a dispute between the two groups as regards election of Village Panchyat. Looking to the allegations made in the F.I.R., it is obvious that after the completion of investigation if the Applicants are arrested, it will cause undue harassment to

them. Hence, the Applicants are entitled to be enlarged on anticipatory bail.

4. Hence I pass the following order :

i) In the event of the arrest of the Applicants in connection with C.R.No.84 of 2005 registered at Walchandnagar Police Station, District Pune the Applicants shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.5000/- (Rupees five thousand only) each with one or two sureties each in the like amount.

ii) The Bail is granted subject to condition that the Applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/investigating agency. The Applicants shall not tamper with the prosecution evidence.

iii) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

iv) Application is disposed of in above terms.
v) Parties to act upon an authenticated copy of this order.

JUDGE